

## APPENDIX B

### General Instructions for Responding to this Technology Announcement

#### B.1 GENERAL PROVISIONS AND POLICIES

##### 1. Who May Propose to the Mars Technology Program (MTP) CA Tool TA.

This TA is open to all categories of U.S. and non-U.S. organizations, including educational institutions, industry, nonprofit institutions, as well as NASA Centers, including the Jet Propulsion Laboratory (JPL) and other U.S. Government agencies. Historically Black Colleges and Universities (HBCU's), other minority educational institutions, and small businesses and organizations owned and controlled by socially and economically disadvantaged individuals or women are particularly encouraged to apply. Participation by non-U.S. organizations in this program is encouraged subject to NASA's policy of no-exchange-of-funds. In accordance with Federal statutes and NASA policy, no eligible applicant shall be excluded from participation in, denied the benefits for, or be subjected to discrimination under any program or activity receiving financial assistance from NASA on the grounds of race, color, creed, age, sex, national origin, or disability. In order to determine the appropriate funding instrument in the event a proposal is selected for funding, one of the categories listed below shall be indicated on the appropriate line on the proposal cover page.

Types of Proposing Institutions:

*Educational Institution:* An accredited university or college conferring degrees (all such institutions are considered nonprofit).

*Nonprofit, Nonacademic Organization:* A private or Government supported research laboratory, university consortium, museum, observatory, or similar organization that supports advanced research but whose central charter is not for training students.

*Industry:* An organization of any size that operates for profit on a fee basis with capabilities and interests to conduct advanced technology development.

*NASA Center:* Any NASA Center organization including JPL.

*Other Government Agency:* Any non-NASA, U.S. Federal Executive agency, national laboratory, or Federally Funded Research and Development Center (FFRDC) sponsored by a Federal Agency.

*Non-U.S. organizations:* Any non-U.S.-organization on a no-exchange-of-funds basis with capabilities and interest to conduct advanced technology development.

2. A Notice of Intent (NOI) to propose is requested. The NOI is neither a commitment to submit a proposal, nor is information contained therein considered binding on the submitter. NOIs may be submitted electronically by providing the information requested to the “General Point of Contract” for this TA, Mr. Anthony P. Sherrill, e-mail [Anthony.P.Sherrill@jpl.nasa.gov](mailto:Anthony.P.Sherrill@jpl.nasa.gov) . Provide the following information:

Reference to the MTP TA;

Technology Provider name, mailing address, phone number, and e-mail address;

Name(s) of institution(s) and any partnering organizations, if known by NOI due date;

Descriptive title of the technology

3. Proposers are requested to provide proposals that conform to the proposal content outlined in APPENDIX C.2. The MTP reserves the right to make awards without discussions; therefore, proposals should be as complete as possible and submitted on the proposers’ most favorable terms.
4. All responses received will be reviewed for applicability and appropriateness to the TA evaluation criteria; however, it is understood that there is no commitment implied or otherwise that peer reviews will result in a procurement. Neither the Government nor JPL will be responsible for any cost incurred in furnishing this information.
5. To be considered for award, a proposal shall, at a minimum, describe a CA Tool that meets the performance requirements described in APPENDIX A. Proposals should contain sufficient technical information to permit a meaningful evaluation, using the defined evaluation criteria, and be signed by an official authorized to legally bind the technology provider’s institution.
6. Joint Proposals: Where multiple organizations are involved, only one of them may submit the proposal. The proposal should describe the role to be played by the other organizations and indicate the legal and managerial arrangements contemplated.
7. Cooperative/shared development (i.e., cost sharing with other activities/organizations) is permitted. If such arrangements exist, attach confirmation letters from a person with the authority to commit the organization to the arrangement (not included in the page count).
8. Questions from potential respondents and answers from the MTP will be posted on the following website: <http://acquisition.jpl.nasa.gov/rfp/>
9. Subcontract Type and Funding: For organizations requiring Subcontracts for funding, Cost R&D (Cost Reimbursement with Educational Institutions (CREI) for universities) contracts will be issued by the Jet Propulsion Laboratory (JPL)/ California Institute of Technology. Proposers that require JPL to issue a Subcontract shall comply with JPL’s General Provisions (GPs) and Additional General Provisions (AGPs). These GPs/AGPs are available through the Internet at <http://acquisition.jpl.nasa.gov/e2000.htm>. If you have an access problem, or would like to receive a copy of a specimen contract you may send a message to Mr. Anthony P. Sherrill, e-mail [Anthony.P.Sherrill@jpl.nasa.gov](mailto:Anthony.P.Sherrill@jpl.nasa.gov) or call (818) 3937280.

A proposal containing a large number of exceptions or one or more significant exceptions to the General Provisions and/or Additional General Provisions may make the proposal unacceptable for evaluation. Proposers must provide a detailed explanation, including the rationale, for any exceptions taken. Proposals containing exceptions may be selected for negotiations. However, if an agreement cannot be negotiated the proposal may be rejected.

10. Other Agreements and Funding: For NASA centers and other government agency organizations, the MTP will establish written memoranda of agreements and administer a funds transfer through NASA Headquarters to the performing organizations.
11. Guidelines Applicable to Non-U.S. (Foreign) Proposals and Proposals Including Non-U.S. Participation: NASA welcomes proposals having participants from non-U.S. institutions provided that they are offered on a no-exchange-of-funds basis and also comply with current U.S. restrictions concerning the export of technology. In addition to meeting the requirements discussed elsewhere in this TA, including the Appendices, which apply to all proposers, foreign proposals and proposals including foreign participation must comply with the policies below.

Note that any proposed international participation in the TA/CA must be described at the same level of detail as that of a U.S. proposal, to the maximum extent possible. NASA will seek to validate contribution costs, schedule, and management data during evaluation of the proposals and in subsequent reviews. Failure to provide such information about proposed contributions, or failure to document the commitment of all team partners to those costs and schedules, may cause a proposal to be found unacceptable for selection.

(1) Although NASA welcomes proposals from outside the U.S., foreign entities are generally not eligible for funding from NASA. Thus, such investigations and investigators must be proposed on a no-exchange-of-funds basis to NASA. In addition, proposals from foreign entities, and proposals from U.S. entities that include foreign participation, must be endorsed by the respective government agency or funding/sponsoring institution in the country from which the foreign entity is proposing. Such endorsement should indicate that the proposal merits careful consideration by NASA, and, if the proposal is selected, sufficient funds will be made available by the respective foreign government agency or funding/sponsoring institution to undertake the activity as proposed. These Letters of Endorsement are required from all organizations sponsoring non-U.S. participants and must be received at the address given on page 2 of the Technology Announcement.

(2) All foreign proposals must be typewritten in English and comply with all other submission requirements stated in the TA. All foreign proposals will undergo the same evaluation and selection process as those originating in the U.S. All proposals must be received by the established closing date for proposals. Those received after the closing date will be treated in accordance with Appendix B. 13. of the Technology Announcement.

(3) Successful and unsuccessful foreign entities will be contacted directly by the NASA sponsoring office. Copies of these letters will be sent to the foreign sponsor. Should a foreign proposal or a U.S. proposal with foreign participation be selected, NASA's Office

of External Relations will arrange with the foreign sponsor for the proposed participation on a no-exchange-of-funds basis, in which NASA and the foreign sponsor will each bear the costs of discharging their respective responsibilities.

(4) Depending on the nature and extent of the proposed cooperation, these arrangements may entail:

- (i) An exchange of letters between NASA and the foreign sponsor; or
- (ii) A formal Agency-to-Agency Memorandum of Understanding (MOU).

Export Control Guidelines Applicable to Foreign and Proposals Including Foreign Participation:

(1) Foreign proposals and proposals including foreign participation must include a section discussing compliance with U.S. export laws and regulations, e.g., 22 Code of Federal Regulations (CFR) Parts 120-130; 15 CFR Parts 730-774; and 10 CFR 110 and 810, as applicable to the circumstances surrounding the particular foreign participation. The discussion must describe in detail the proposed foreign participation and is to include, but not be limited to, whether or not the foreign participation may require the prospective proposer to obtain the prior approval of the Department of State or the Department of Commerce via a technical assistance agreement or an export license, or whether a license exemption/exception may apply. If prior approvals via licenses are necessary, to discuss whether the license has been applied for or, if not, the projected timing of the application and any implications for the schedule. Information regarding U.S. export regulations is available at the U.S. Department of State web site <http://www.pmdtc.org> and through the U.S. Department of Commerce's Bureau of Industry and Security web site at <http://www.bis.doc.gov>. Proposers are advised that, under the U.S. law and regulations, spacecraft and their specifically designed, modified, or configured systems, components, and its parts are generally considered "Defense Articles" on the United States Munitions List and subject to the provisions of the International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120-130.

12. Proposal Personnel: Each organization submitting a proposal shall designate a single "Key Personnel" Technology Provider who will lead the quality, direction, and content of the entire proposed technology development for the use of all awarded funds.
13. Proposal Delivery: Proposals may be mailed or hand delivered to the addresses in the TA. For hand carried proposals, the JPL Visitor Control Center is open to receive proposals only on working weekdays, between 7:30 a.m. and 4:30 p.m. The JPL Visitor Control Center will date and time stamp your proposal. Proposals are due at the time and date stated on the cover of this TA.
14. Late Proposals: Any proposal, portion of the proposal, or unrequested proposal revision received at JPL after the time and date specified on the cover page of the TA is late. Any volume of a proposal received after the time and date specified will cause the entire proposal to be late. Processing delays at the proposer's home institution or its methods of shipping do not excuse the late submission of a proposal. Late proposals will not be considered for award, except under the following circumstances:

JPL determines that the late receipt was due solely to a delay by the U.S. postal service for which the offeror was not responsible. Timely postmark or receipt of registered, certified, or express mail “next-day service,” establishing the time of deposit, shall be evidenced.

JPL determines that the proposal was late due solely to mishandling by JPL after receipt at JPL, provided that the timely receipt at JPL is evidenced.

No acceptable proposals are received in a timely manner.

15. Withdrawal: The proposer may withdraw proposals at any time before award.
16. Proposals should not contain security classified information or depend upon access or use of security classified information or facilities for any portion of the activities.

## B.2 PROPOSAL INFORMATION DISCLOSURE

Restriction on Use and Disclosure of Proposal Information. If a proposal contains proprietary information that should not be used/disclosed for any purpose other than proposal evaluation, it should be clearly marked by placing the following legend on the proposal response cover sheet:

NOTICE
“The information (data) contained in [insert page numbers or other identification] of this proposal constitutes a trade secret and/or information that is commercially or financially confidential or privileged. It is furnished to the Government and the Jet Propulsion Laboratory/California Institute of Technology (“Institute”) in confidence with the understanding that it will not, without permission of the proposer, be used or disclosed other than for evaluation purposes; provided, however, that in the event a contract (or other agreement) is awarded on the basis of this proposal, the Government or the Institute shall have the right to use and disclose this information (data) to the extent provided in the contract (or other agreement). This restriction does not limit the Government’s or Institute’s right to use or disclose this information (data) if obtained from another source without restriction.”

## B.3 PAGE LIMITS

Responses are limited to 18 pages (including figures, see Table B.3). Proposals that contain information exceeding the page limit will have the excess pages removed, and the excess pages will not be evaluated. Proposal format shall be as follows:

Typewritten using easily readable 12 point type fonts on white 8.5x11 inch paper, in single or double columns with at least a 1 inch margin on all sides;

Double-sided printing preferred but not required (each side counts as one page);

Bound only with metal staples, (no cardboard or plastic covers, or permanent binders, and with an easily disassembled original copy (to enable making additional copies if needed);

No fold out pages;

No material submitted on electronic media, nor reference on websites needed to complete the evaluation;

Use only metric units in the body of the proposal; and

Strictly adhere to the page limits as follows:

Section	Page Limits
Cover Page	Not Counted
Proposal Summary	2
Table of Contents	Not Counted
Technical/Management	Not to exceed 15
Proposed Personnel	Not Counted
References	Not Counted
Facilities and Equipment (as needed)	1
Current and Pending Support	Not Counted
Proposed Cost and Schedule	Not Counted
Resumes	Not Counted

Table B.3 Proposal Page Limits

#### **B.4 NOTIFICATION OF SELECTION**

The MTP Office will notify all proposers of their selection or non-selection.

#### **B.5 CONTRACT (OR OTHER AGREEMENT) NEGOTIATIONS AND AWARD**

When the funding instrument is a subcontract, an acquisition representative will handle negotiations, funding, and subcontract execution. The proposal will be used as the basis for negotiations. The procurement representative may request certain business data through the Technology Provider's business office and may forward a specimen contract and other information pertinent to negotiations. When the funding instrument is not a JPL contract, NASA Headquarters will handle an "other agreement" process for transferring funds to the technology providers' organization. In all cases, awards will be made to institutions, not directly to the individual Technology Provider.

#### **B.6 CANCELLATION**

NASA and JPL reserve the right to make no awards under this TA and to cancel this TA. NASA and JPL assume no liability for canceling the TA or for anyone's failure to receive notice of cancellation.

#### **B.7 ATTACHMENTS**

The following attachment to APPENDIX B includes essential information and supplemental instructions for proposal preparation.

- a. Forms and Documents Containing Information Applicable To This TA.

## ATTACHMENT B.7.a, FORMS AND DOCUMENTS CONTAINING INFORMATION APPLICABLE TO THIS TA.

The following attached forms and documents are organized into two major groupings:

1. Group A shall be completed and returned as part of your quotation or cost proposal.
2. Group B is for information purposes only in preparing your quotation/proposal.

Both A and B group attachment documents are available through the electronic address:

<http://acquisition.jpl.nasa.gov/e2000.htm> Hard copies of the Group B documents will be mailed by request only. Note that Group B Attachments may become requirements under a JPL Contract.

**NOTE TO PROPOSERS:** *Only the forms and documents listed below marked X in the box preceding the Attachment Number are applicable.*

### GROUP A – Complete and return as part of your quotation/cost proposal, as applicable:

Attachment Number	Title and Form Number
<input checked="" type="checkbox"/>	A-1 Acknowledgment (form JPL 2384)
<input checked="" type="checkbox"/>	A-2 Cost Accounting Standards (form JPL 2842) (if over \$500K)
<input checked="" type="checkbox"/>	A-3 Government Property Questionnaire (form JPL 0544) (if required)
<input type="checkbox"/>	A-4 (RESERVED)
<input type="checkbox"/>	A-5 (RESERVED)
<input type="checkbox"/>	A-6 Notice of Total Small Business Set-Aside (form JPL 4022)
<input type="checkbox"/>	A-7 Notice of Total Small Business Set-Aside – Modified (form JPL 4023)
<input type="checkbox"/>	A-8 (RESERVED)
<input type="checkbox"/>	A-9 (RESERVED)
<input type="checkbox"/>	A-10 (RESERVED)
<input type="checkbox"/>	A-11 (RESERVED)
<input type="checkbox"/>	A-12 Foreign Acquisitions – Certification of Eligibility for Exemption from/Certain JPL General Provisions, Additional General Provisions, and Certifications (form JPL 2881)
<input type="checkbox"/>	A-13 (RESERVED)
<input checked="" type="checkbox"/>	A-14 Past Performance (form JPL 0358)
<input checked="" type="checkbox"/>	A-15 Cost Element Breakdown (form JPL 0549)
<input type="checkbox"/>	A-16 Determination of Lowest Overall Price - Time-and-Material Proposals (form JPL 0359)
<input type="checkbox"/>	A-17 Determination of Lowest Overall Price - Labor Hour Proposals (form JPL 0363)
<input type="checkbox"/>	A-18 Determination of Lowest Overall Price - Labor-Hour Proposals to JPL-Provided Rate Ranges (form JPL 0364)
<input checked="" type="checkbox"/>	A-19 Cost Elements Breakdown (Short Form) (form JPL 0549-1)



**GROUP B – For information only:**

Attachment Number	Title and Form Number
<input checked="" type="checkbox"/>	B-1 Waiver of Rights to Inventions (form JPL 62-301)
<input checked="" type="checkbox"/>	B-2 Summary Work Breakdown Structure (no form number)
<input type="checkbox"/>	B-3 Notice to Offerors (form JPL 2843)
<input type="checkbox"/>	B-4 Instructions for Patent Agreement for Use in Support Service Contracts (form JPL 2844) Patent Agreement (form JPL 1929)
<input type="checkbox"/>	B-5 Notice of Requirement of Pre-award On Site Equal Opportunity Compliance Review (form JPL 3553)
<input checked="" type="checkbox"/>	B-6 Requirements for A Subcontracting Plan (form JPL 0294), if applicable
<input type="checkbox"/>	B-7 Security Requirements for a Classified Contract (form JPL 2891)
<input type="checkbox"/>	B-8 Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246) (form JPL 2899)
<input type="checkbox"/>	B-9 <input type="checkbox"/> Notice to Prospective Contractors of Requirement for an Environmental Audit of the Lease Facilities (form JPL 2896)
	<input type="checkbox"/> Notice to Prospective Contractors of Requirement for an Environmental Audit of the Lease Facilities – Alternate (form JPL 2896-1)
<input checked="" type="checkbox"/>	B-10 Certificate of Current Cost or Pricing Data (form JPL 2496), if applicable
<input type="checkbox"/>	B-11 Standards of Conduct and Procedures for Handling Contractor Personnel Problems, Discipline, and Separation (form JPL 4412)
<input type="checkbox"/>	B-12 (RESERVED)
<input checked="" type="checkbox"/>	B-13 Claims for Exceptions to Cost or Pricing Data (form JPL 2703)
<input type="checkbox"/>	B-14 JPL Contractor Safety and Health Notification (form JPL 2885)